



DRW

Docket No.: SON-2920
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hironori IBUSUKI

Confirmation No.: 1986

Application No.: 10/780,667

Art Unit: 1756

Filed: February 19, 2004

Examiner: Christopher G. Young

For: EXPOSURE PATTERN OR MASK AND
INSPECTION METHOD AND
MANUFACTURE METHOD FOR THE SAME

REQUEST FOR CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT
FILED JULY 1, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Receipt is acknowledged of the Notice of Allowance dated April 18, 2007. An Issue Fee has not yet been paid. With those allowing papers, a Form PO/SB/08 that had accompanied an IDS of July 1, 2004 was returned with the Non-Patent Literature (NPL) Documents crossed through with the reason that "Complete copies have not been provided" of two articles. A U.S. Patent Document also identified in that IDS was considered. It is not clear whether the examiner meant to indicate that an incomplete copy of each of the references was provided, or whether no copies were provided. The preponderance of the evidence of record indicates that copies of those two articles were submitted to the USPTO with the IDS filed on July 1, 2004.

This is thus to request reconsideration of that holding so that the two articles can be considered and made of record. A copy of the IDS Filed on July 21, 2007 submitting copies of the two articles received by facsimile on June 29, 2006 is provided. It is noted that in the file of the undersigned, the two facsimile articles each has had its staple removed, suggesting in the office procedures of the undersigned Firm, that the articles were copied for submission to the

USPTO. In addition, a copy of the USPTO postcard receipt for that submission is also provided, but no record specifically made of the inclusions with the IDS.

It is noted that the Public Pair record for this application indicates that two NPL documents were to be listed, but each is blank, suggesting that the scanning of those two articles was interrupted for some reason. It is unclear why the USPTO would have created two "slots" for NPL documents unless those documents were present at the time of the filing of July 1, 2004 was presented.

For the convenience of the examiner, pristine complete copies of those two articles, as later received on July 14, 2007, are also provided. The date timely would indicate then that the copies of the facsimile versions of the documents were presented rather than the versions received on July 14, 2007.

Further, it is noted that the three items of information cited in the IDS of July 1, 2004 are discussed a part of the Description of Related Art at pages 1 to 6 of the specification as filed, and especially at page 2, lines 9 to 20 and again at page 5, line 14 to page 6, line 13. From that text, especially when taken with Prior Art Figs. 10 to 15, the relevance of those documents can easily be determined in the context of this application. It is appreciated that the cited US patent was fully considered since a copy was not required according to current practice.

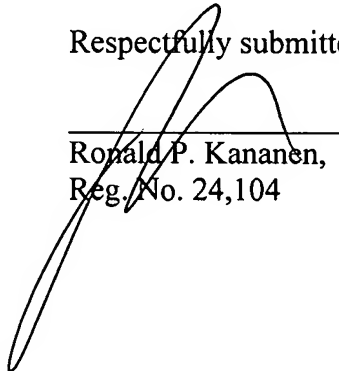
In view of the foregoing showing, please consider the two NPL articles alleged to have been originally provided with the IDS of July 1, 2004, according to the proofs here presented.

If the examiner insists on a finding that the articles were not provided, then at the very least he is requested to place the documents in the file of this allowed application. No fee is believed to be required by this submission.

Date: May 17, 2007

RADER, FISHMAN & GRAUER, PLLC
THE LION BUILDING
1233 20TH STREET, N.W., SUITE 501
WASHINGTON, D.C. 20036
TEL: (202) 955-3750
FAX: (202) 955-3751
CUSTOMER NO. 23353

Respectfully submitted,



Ronald P. Kananen,
Reg. No. 24,104



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/780,667
				Filing Date	February 19, 2004
				First Named Inventor	Hironori Ibusuki
				Art Unit	1756
				Examiner Name	C. G. Young
Sheet	1	of	1	Attorney Docket Number	SON-2920

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA					
	BB					
	BC					
	BD					
	BE					
	BF					
	BG					
	BH					
	BI					
	BJ					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	EPL: Electron-beam Proximity Lithography, "Projection Exposure with Variable Axis Immersion Lenses: A High-Throughput Electron Beam Approach to Suboptical Lithography" H.C Pfeiffer, Jpn. J. Appl. Phys. Vol. 34 (1995) pp. 6658-6662	
	CB	LEEPL: Low Energy Electron-beam Proximity Projection Lithography, "Characterization of a Process Development Tool for Ion Projection Lithography, Hans Loeschner, et al, J.Vac. Sci. technol. B19, (2001)	
	CC		
	CD		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Examiner Signature	/Christopher Young/ (02/26/2007)	Date Considered	02/26/2007
--------------------	----------------------------------	-----------------	------------



Atty Docket No.: SON-2920

Inventor: Hironori Ibusuki

Application No.: 10/780,667

Filing Date: February 19, 2004

Title: EXPOSURE PATTERN OR MASK AND INSPECTION METHOD AND
MANUFACTURE METHOD FOR THE SAME

Documents Filed:

Information Disclosure Statement w/PTO 1449

Via:

Sender's Initials: RPK/sjm

Date: July 1, 2004

Inventor: Hironori Ibusuki

Atty Docket No.: SON-2920

Application No.: 10/780,667

Filing Date: February 19, 2004

Title: EXPOSURE PATTERN OR MASK AND INSPECTION METHOD AND
MANUFACTURE METHOD FOR THE SAME

Documents Filed:

Information Disclosure Statement w/PTO 1449



Via:

Sender's Initials: RPK/sjm

Date: July 1, 2004



Docket No.: SON-2920
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hironori Ibusuki

Art Unit: 1756

Application No.: 10/780,667

Conf. No. 1986

Filed: February 19, 2004

For: EXPOSURE PATTERN OR MASK AND
INSPECTION METHOD AND
MANUFACTURE METHOD FOR THE SAME

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a Search Report issued from a corresponding application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a Search and Examination Report _____ issued from a corresponding application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☐ c. Please charge our Deposit Account No. 18-0013 the \$180.00 fee and charge any additional fee or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Please charge our Deposit Account in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a corresponding foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☒ 4. The references were cited at page 2 of the specification.
- ☒ 5. In the event any fees are due with this paper, please charge our Deposit Account No. 18-0013.

Date: July 1, 2004

Respectfully submitted,

Ronald P. Kananen
Registration No. 24,104

Rader, Fishman & Grauer PLLC
1233 20th Street, N.W.,
Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	10/780,667
				Filing Date	February 19, 2004
				First Named Inventor	Hironori Ibusuki
				Art Unit	1756
				Examiner Name	N/A
Sheet	1	of	1	Attorney Docket Number	SON-2920

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	5,831,272	11/3/98	Utsumi	
	AB				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA					
	BB					
	BC					
	BD					
	BE					
	BF					
	BG					
	BH					
	BI					
	BJ					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	CA	EPL: Electron-beam Proximity Lithography, "Projection Exposure with Variable Axis Immersion Lenses: A High-Throughput Electron Beam Approach to Suboptical Lithography" H.C Pfeiffer, Jpn. J. Appl. Phys. Vol. 34 (1995) pp. 6658-6662		
	CB	LEEPL: Low Energy Electron-beam Proximity Projection Lithography, "Characterization of a Process Development Tool for Ion Projection Lithography, Hans Loeschner, et al, J.Vac. Sci. technol. B19, (2001)		
	CC			
	CD			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--